

## SENATE BILL No. 263

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-14-3-7; IC 9-21-11-12; IC 9-24; IC 9-26-1; IC 9-29; IC 9-30-3-12; IC 20-33; IC 31-37-19; IC 33-39-1-8; IC 34-28-5-1; IC 35-48-4-15.

**Synopsis:** Driving authority permits and learner's permits. Provides for the issuance of driving authority permits, probationary driving authority permits, and driving authority learner's permits to residents of Indiana who cannot provide proof of identity and lawful status in the United States. Provides that these permits may not be used for federal identification or for any federal purposes. Requires that an individual who holds a permit and operates a motor vehicle must ensure that required financial responsibility on any motor vehicle that the holder operates is continuously maintained in the amounts required by law. Makes conforming amendments. Deletes outdated language.

**Effective:** July 1, 2014.

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## Broden

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January 13, 2014, read first time and referred to Committee on Homeland Security, Transportation, and Veterans Affairs.

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Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## SENATE BILL No. 263

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 9-14-3-7, AS AMENDED BY P.L.125-2012,
- 2 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2014]: Sec. 7. (a) The bureau shall maintain a driving record
- 4 for each person licensed **or issued a permit** by the bureau to drive a
- 5 motor vehicle.
- 6 (b) A driving record must contain the following:
- 7 (1) A person's convictions for any of the following:
- 8 (A) A moving traffic violation.
- 9 (B) Operating a vehicle without financial responsibility in
- 10 violation of IC 9-25.
- 11 (2) Any administrative penalty imposed by the bureau.
- 12 (3) If the driving privileges of a person have been suspended or
- 13 revoked by the bureau, an entry in the record stating that a notice
- 14 of suspension or revocation was mailed by the bureau and the date
- 15 of the mailing of the notice.
- 16 (4) Any suspensions, revocations, or reinstatements of a person's



driving privileges, license, or permit.

(5) Any requirement that the person may operate only a motor vehicle equipped with a certified ignition interlock device.

(c) An entry in the driving record of a defendant stating that notice of suspension or revocation was mailed by the bureau to the defendant constitutes prima facie evidence that the notice was mailed to the defendant's address as shown in the records of the bureau.

(d) A driving record maintained under this section:

(1) is not admissible as evidence in any action for damages arising out of a motor vehicle accident; and

(2) may not include voter registration information.

SECTION 2. IC 9-21-11-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 12. A motorized bicycle may not be operated under any of the following conditions:

(1) By a person less than fifteen (15) years of age.

(2) By a person who has not obtained an identification card under IC 9-24, a permit under IC 9-24, an operator's license under IC 9-24, a chauffeur's license under IC 9-24, ~~or~~ a public passenger chauffeur's license under IC 9-24, **or a driving authority permit or driving authority learner's permit under IC 9-24.**

(3) On an interstate highway or a sidewalk.

(4) At a speed greater than twenty-five (25) miles per hour.

SECTION 3. IC 9-24-1-1, AS AMENDED BY P.L.125-2012, SECTION 159, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. Except as otherwise provided in this chapter, an individual must have a valid Indiana:

(1) operator's license;

(2) chauffeur's license;

(3) public passenger chauffeur's license;

(4) commercial driver's license;

(5) driver's license listed in subdivision (1), (2), (3), or (4) with a motorcycle endorsement;

(6) learner's permit; ~~or~~

(7) motorcycle learner's permit;

**(8) driving authority permit; or**

**(9) driving authority learner's permit;**

issued to the individual by the bureau under this article to drive upon an Indiana highway the type of motor vehicle for which the license or permit was issued.

SECTION 4. IC 9-24-2-1, AS AMENDED BY P.L.125-2012, SECTION 166, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) The bureau shall suspend the



1 driving privileges or invalidate the learner's permit **or driving**  
 2 **authority learner's permit** of an individual less than eighteen (18)  
 3 years of age who meets any of the following conditions:

- 4 (1) Is a habitual truant under IC 20-33-2-11.  
 5 (2) Is under at least a second suspension from school for the  
 6 school year under IC 20-33-8-14 or IC 20-33-8-15.  
 7 (3) Is under an expulsion from school under IC 20-33-8-14,  
 8 IC 20-33-8-15, or IC 20-33-8-16.  
 9 (4) Is considered a dropout under IC 20-33-2-28.5.

10 (b) At least five (5) days before holding an exit interview under  
 11 IC 20-33-2-28.5, the school corporation shall give notice by certified  
 12 mail or personal delivery to the student, the student's parent, or the  
 13 student's guardian that the student's failure to attend an exit interview  
 14 under IC 20-33-2-28.5 or return to school if the student does not meet  
 15 the requirements to withdraw from school under IC 20-33-2-28.5 will  
 16 result in the revocation or denial of the student's:

- 17 (1) driver's license, ~~or~~ learner's permit, **driving authority permit,**  
 18 **or driving authority learner's permit;** and  
 19 (2) employment certificate.

20 SECTION 5. IC 9-24-2-2, AS AMENDED BY P.L.125-2012,  
 21 SECTION 167, IS AMENDED TO READ AS FOLLOWS  
 22 [EFFECTIVE JULY 1, 2014]: Sec. 2. The bureau shall suspend the  
 23 driving privileges or invalidate the learner's permit **or a driving**  
 24 **authority learner's permit** of an individual less than eighteen (18)  
 25 years of age who is under an order entered by a juvenile court under  
 26 IC 31-37-19-13 through IC 31-37-19-17 (or IC 31-6-4-15.9(d),  
 27 IC 31-6-4-15.9(e), or IC 31-6-4-15.9(f) before their repeal).

28 SECTION 6. IC 9-24-2-2.5, AS AMENDED BY P.L.125-2012,  
 29 SECTION 168, IS AMENDED TO READ AS FOLLOWS  
 30 [EFFECTIVE JULY 1, 2014]: Sec. 2.5. (a) The bureau shall suspend  
 31 the driving privileges or invalidate the learner's permit **or a driving**  
 32 **authority learner's permit** of an individual who is under an order  
 33 entered by a court under IC 35-43-1-2(c).

34 (b) The bureau shall suspend the driving privileges or invalidate the  
 35 learner's permit **or a driving authority learner's permit** of a person  
 36 who is the subject of an order issued under IC 31-37-19-17 (or  
 37 IC 31-6-4-15.9(f) before its repeal) or IC 35-43-1-2(c).

38 SECTION 7. IC 9-24-2-3, AS AMENDED BY P.L.207-2013,  
 39 SECTION 7, AS AMENDED BY P.L.207-2013, SECTION 8, AND  
 40 AS AMENDED BY P.L.85-2013, SECTION 24, IS CORRECTED  
 41 AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 42 2014]: Sec. 3. (a) The bureau may not issue a driver's license, ~~or~~



1 learner's permit, **driving authority permit, or driving authority**  
 2 **learner's permit** or grant driving privileges to the following  
 3 individuals:

4 (1) An individual whose *license issued under Indiana law to*  
 5 *operate a motor vehicle as an operator, a chauffeur, or a public*  
 6 *passenger chauffeur has driving privileges have* been suspended,  
 7 during the period for which the *license was driving privileges are*  
 8 suspended, or to an individual whose *driver's* license has been  
 9 revoked, until the time the bureau is authorized under Indiana law  
 10 to issue the individual a new license.

11 (2) An individual whose learner's permit **or driving authority**  
 12 **learner's permit** has been suspended or revoked until the time  
 13 the bureau is authorized under Indiana law to issue the individual  
 14 a new permit.

15 (3) An individual who, in the opinion of the bureau, is afflicted  
 16 with or suffering from a physical or mental disability or disease  
 17 that prevents the individual from exercising reasonable and  
 18 ordinary control over a motor vehicle while operating the vehicle  
 19 upon the public highways.

20 (4) An individual who is unable to understand highway warnings  
 21 or direction signs written in the English language.

22 (5) An individual who is required under this article to take an  
 23 examination unless:

- 24 (A) the person successfully passes the examination; or
- 25 (B) the bureau waives the examination requirement.

26 (6) An individual who is required under IC 9-25 or any other  
 27 statute to deposit or provide proof of financial responsibility and  
 28 who has not deposited or provided that proof.

29 (7) An individual when the bureau has good cause to believe that  
 30 the operation of a motor vehicle on a public highway of Indiana  
 31 by the individual would be inimical to public safety or welfare.

32 (8) An individual who is the subject of an order issued by:

- 33 (A) a court under ~~IC 31-14-12-4~~ or IC 31-16-12-7 (or
- 34 IC 31-1-11.5-13, ~~or~~ IC 31-6-6.1-16, or IC 31-14-12-4 before
- 35 their repeal); or
- 36 (B) the Title IV-D agency;

37 ordering that a driver's license or permit not be issued to the  
 38 individual.

39 (9) **This subdivision does not apply to an applicant for a**  
 40 **driving authority permit under IC 9-24-3.5 or a driving**  
 41 **authority learner's permit under IC 9-24-7.** An individual who  
 42 has not presented valid documentary evidence to the bureau of the



person's legal status in the United States, as required by  
~~IC 9-24-9-2.5.~~ **IC 9-24-9-2.5(a).**

*(10) An individual who does not otherwise satisfy the requirements of this article.*

(b) An individual subject to epileptic seizures may not be denied a driver's license or permit under this section if the individual presents a statement from a licensed physician, on a form prescribed by the bureau, that the individual is under medication and is free from seizures while under medication.

SECTION 8. IC 9-24-3.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

**Chapter 3.5. Driving Authority Permit**

**Sec. 1. An individual who is unable to present the valid documentary evidence required by IC 9-24-9-2.5(a) may apply to the bureau for a driving authority permit.**

**Sec. 2. The bureau shall issue a driving authority permit to an individual who meets the following conditions:**

**(1) Satisfies the age requirements set forth in section 3 of this chapter.**

**(2) Makes proper application to the bureau under IC 9-24-9 upon a form prescribed by the bureau. The form must include an attestation concerning the number of hours of supervised driving practice that the individual has completed if the individual is required under section 3 of this chapter to complete a certain number of hours of supervised driving practice in order to receive a driving authority permit. The:**

**(A) parent or guardian of an applicant less than eighteen (18) years of age; or**

**(B) applicant, if the applicant is at least eighteen (18) years of age;**

**shall attest in writing under penalty of perjury to the time logged in practice driving.**

**(3) Satisfactorily passes the examination and tests required for issuance of a driving authority permit.**

**(4) Pays the fee prescribed by IC 9-29-9-2.3.**

**Sec. 3. (a) An individual must satisfy the requirements set forth in one (1) of the following subdivisions to receive a driving authority permit:**

**(1) The individual meets the following conditions:**

**(A) Is at least sixteen (16) years and one hundred eighty (180) days of age.**



- 1 (B) Has held a valid driving authority learner's permit for  
 2 at least one hundred eighty (180) days.  
 3 (C) Obtains an instructor's certification that the individual  
 4 has satisfactorily completed an approved driver education  
 5 course.  
 6 (D) Passes the required examination.  
 7 (E) Completes at least fifty (50) hours of supervised driving  
 8 practice, of which at least ten (10) hours are nighttime  
 9 driving, with:  
 10 (i) a licensed instructor or a licensed driver, with valid  
 11 driving privileges, who is at least twenty-five (25) years  
 12 of age; or  
 13 (ii) the spouse of the individual who is a licensed driver  
 14 with valid driving privileges and is at least twenty-one  
 15 (21) years of age.  
 16 (2) The individual meets the following conditions:  
 17 (A) Is at least sixteen (16) years and two hundred seventy  
 18 (270) days of age.  
 19 (B) Has held a valid driving authority learner's permit for  
 20 at least one hundred eighty (180) days.  
 21 (C) Passes the required examination.  
 22 (D) Completes at least fifty (50) hours of supervised  
 23 driving practice, of which at least ten (10) hours are  
 24 nighttime driving, with:  
 25 (i) a licensed instructor or a licensed driver, with valid  
 26 driving privileges, who is at least twenty-five (25) years  
 27 of age; or  
 28 (ii) the spouse of the individual who is a licensed driver  
 29 with valid driving privileges and is at least twenty-one  
 30 (21) years of age.  
 31 (3) The individual meets the following conditions:  
 32 (A) Is at least eighteen (18) years of age.  
 33 (B) Has previously been a nonresident of Indiana but, at  
 34 the time of application, qualifies as an Indiana resident.  
 35 (C) Held a valid driver's license, excluding a learner's  
 36 permit or the equivalent, from the state of prior residence.  
 37 (D) Passes the required examinations.  
 38 (b) An applicant who is required to complete at least fifty (50)  
 39 hours of supervised practice driving under subsection (a)(1)(E) or  
 40 (a)(2)(D) must submit to the commission under IC 9-24-9-2(c)  
 41 evidence of the time logged in practice driving.  
 42 Sec. 4. A driving authority permit or driving authority learner's



1 permit must include a statement on the face of the permit that  
 2 indicates that the permit may not be accepted by any federal  
 3 agency for federal identification or any other federal purpose.

4 **Sec. 5. A driving authority permit or driving authority learner's**  
 5 **permit allows the holder to operate a passenger motor vehicle, a**  
 6 **truck with a declared gross weight equal to or less than eleven**  
 7 **thousand (11,000) pounds, or a motorized bicycle.**

8 **Sec. 6. A person who holds a driving authority permit or driving**  
 9 **authority learner's permit and operates a motor vehicle shall**  
 10 **ensure that required financial responsibility on a motor vehicle**  
 11 **that the holder operates is continuously maintained in the amounts**  
 12 **set forth in IC 9-25-4.**

13 **Sec. 7. The bureau shall adopt rules under IC 4-22-2 to carry**  
 14 **out this chapter.**

15 SECTION 9. IC 9-24-7-1, AS AMENDED BY P.L.125-2012,  
 16 SECTION 196, IS AMENDED TO READ AS FOLLOWS  
 17 [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) The bureau shall issue a  
 18 learner's permit **for an operator's license** to an individual who:

- 19 (1) is at least fifteen (15) years of age;
- 20 (2) if less than eighteen (18) years of age, is not ineligible under  
 21 IC 9-24-2-1;
- 22 (3) is enrolled in an approved driver education course; and
- 23 (4) has passed a written examination as required under  
 24 IC 9-24-10.

25 (b) The bureau shall issue a learner's permit **for an operator's**  
 26 **license** to an individual who:

- 27 (1) is at least sixteen (16) years of age;
- 28 (2) if less than eighteen (18) years of age, is not ineligible under  
 29 IC 9-24-2; and
- 30 (3) has passed a written examination as required under  
 31 IC 9-24-10.

32 (c) **An individual who is unable to present the valid**  
 33 **documentary evidence required by IC 9-24-9-2.5(a) may apply for**  
 34 **a driving authority learner's permit, which may be used as the**  
 35 **basis to be issued a driving authority permit under IC 9-24-3.5.**  
 36 **The bureau shall issue a driving authority learner's permit to an**  
 37 **individual who:**

- 38 (1) is at least fifteen (15) years of age;
- 39 (2) if less than eighteen (18) years of age, is not ineligible  
 40 under IC 9-24-2-1;
- 41 (3) is enrolled in an approved driver education course; and
- 42 (4) has passed a written examination as required under





1           **IC 9-24-10; or**

2           **(5) is at least sixteen (16) years of age, or if less than eighteen**  
 3           **(18) years of age, is not ineligible under IC 9-24-2, and has**  
 4           **passed a written examination as required under IC 9-24-10.**

5           SECTION 10. IC 9-24-7-2, AS AMENDED BY P.L.125-2012,  
 6           SECTION 197, IS AMENDED TO READ AS FOLLOWS  
 7           [EFFECTIVE JULY 1, 2014]: Sec. 2. The instructor of an approved  
 8           driver education course shall validate or certify a learner's permit **or a**  
 9           **driving authority learner's permit** when the holder has satisfactorily  
 10          completed the course. If the instructor is unable to certify the actual  
 11          learner's permit **or driving authority learner's permit**, the instructor  
 12          may certify that the holder has satisfactorily completed the course in a  
 13          manner the bureau prescribes.

14          SECTION 11. IC 9-24-7-4, AS AMENDED BY P.L.85-2013,  
 15          SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16          JULY 1, 2014]: Sec. 4. A learner's permit **for an operator's license or**  
 17          **a driving authority learner's permit** authorizes the permit holder to  
 18          operate a motor vehicle, except a motorcycle or commercial motor  
 19          vehicle, upon a public highway under the following conditions:

20           (1) While the holder is participating in practice driving in a  
 21           approved driver education course and is accompanied by a  
 22           certified driver education instructor or student teacher in the front  
 23           seat of a motor vehicle equipped with dual controls.

24           (2) While the holder is participating in practice driving after  
 25           having commenced an approved driver education course and the  
 26           seat beside the holder is occupied by a licensed driver with valid  
 27           driving privileges who is at least:

28                   (A) twenty-five (25) years of age; or

29                   (B) if the licensed driver is the holder's spouse, twenty-one  
 30                   (21) years of age.

31           (3) If the holder is not participating in an approved driver  
 32           education course, and is less than eighteen (18) years of age, the  
 33           holder may participate in practice driving if the seat beside the  
 34           holder is occupied by a licensed driver with valid driving  
 35           privileges who is at least:

36                   (A) twenty-five (25) years of age; or

37                   (B) if the licensed driver is the holder's spouse, twenty-one  
 38                   (21) years of age.

39           (4) If the holder is not participating in an approved driver  
 40           education course, and is at least eighteen (18) years of age, the  
 41           holder may participate in practice driving if accompanied in the  
 42           vehicle by a licensed driver with valid driving privileges who is



at least twenty-one (21) years of age.

SECTION 12. IC 9-24-7-5, AS AMENDED BY P.L.125-2012, SECTION 200, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. (a) A holder of a learner's permit may take the skills examination for an operator's license not later than the expiration date of the learner's permit. A holder who does not pass the skills examination after a third attempt is not eligible to take the examination until two (2) months after the date of the last failed examination.

**(b) A holder of a driving authority learner's permit may take the skills examination for a driving authority permit not later than the expiration date of the driving authority learner's permit. A holder who does not pass the skills examination after a third attempt is not eligible to take the examination until two (2) months after the date of the last failed examination.**

SECTION 13. IC 9-24-7-7, AS AMENDED BY P.L.85-2013, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. The bureau shall publish the following:

(1) An online driving guide that may be used by the holder of a learner's permit **or a driving authority learner's permit** and the parent of the holder of a learner's permit **or a driving authority learner's permit**, if applicable.

(2) An online log that must be completed to show evidence of the completion of the hours of supervised practice driving required under IC 9-24-3-2.5(a)(1)(E), ~~or~~ IC 9-24-3-2.5(a)(2)(D), **IC 9-24-3.5-3(a)(1)(E), or IC 9-24-3.5-3(a)(2)(D).**

SECTION 14. IC 9-24-9-2, AS AMENDED BY P.L.85-2013, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) Except as provided in subsection (b), each application for a license or permit under this chapter must require the following information:

- (1) The full legal name of the applicant.
- (2) The applicant's date of birth.
- (3) The gender of the applicant.
- (4) The applicant's height, weight, hair color, and eye color.
- (5) The principal address and mailing address of the applicant.
- (6) **Unless the applicant is applying for a driving authority permit under IC 9-24-3.5 or a learner's permit leading only to a driving authority permit under IC 9-24-7-1(c), a:**
  - (A) valid Social Security number; or
  - (B) verification of an applicant's:
    - (i) ineligibility to be issued a Social Security number; and



(ii) identity and lawful status;

**An applicant for a driving authority permit or driving authority learner's permit must submit a valid individual taxpayer identification number for the applicant and verification of the applicant's identity.**

(7) Whether the applicant has been subject to fainting spells or seizures.

(8) Whether the applicant has been licensed as an operator, a chauffeur, or a public passenger chauffeur or has been the holder of a learner's permit, and if so, when and by what state.

(9) Whether the applicant's license or permit has ever been suspended or revoked, and if so, the date of and the reason for the suspension or revocation.

(10) Whether the applicant has been convicted of a crime punishable as a felony under Indiana motor vehicle law or any other felony in the commission of which a motor vehicle was used.

(11) Whether the applicant has a physical or mental disability, and if so, the nature of the disability and other information the bureau directs.

(12) The signature of the applicant showing the applicant's legal name as it appears or will appear on the license or permit.

(13) A digital photograph of the applicant.

The bureau shall maintain records of the information provided under subdivisions (1) through (13).

(b) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the individual's principal address and mailing address, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the individual's principal address and mailing address.

(c) In addition to the information required by subsection (a), an applicant who is required to complete at least fifty (50) hours of supervised practice driving under IC 9-24-3-2.5(a)(1)(E), **or** IC 9-24-3-2.5(a)(2)(D), **IC 9-24-3.5-3(a)(1)(E), or IC 9-24-3.5-3(a)(2)(D)** must submit to the bureau evidence of the time logged in practice driving. The bureau shall maintain a record of the time log provided.

(d) In addition to the information required under subsection (a), an application for a license or permit to be issued under this chapter must enable the applicant to indicate that the applicant is a veteran of the armed forces of the United States and wishes to have an indication of



the applicant's veteran status appear on the license or permit. An applicant who wishes to have an indication of the applicant's veteran status appear on a license or permit must:

- (1) indicate on the application that the applicant:
  - (A) is a veteran of the armed forces of the United States; and
  - (B) wishes to have an indication of the applicant's veteran status appear on the license or permit; and
- (2) verify the applicant's veteran status by providing proof of discharge or separation, other than a dishonorable discharge, from the armed forces of the United States.

The bureau shall maintain records of the information provided under this subsection.

SECTION 15. IC 9-24-9-2.5, AS AMENDED BY P.L.162-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2.5. **(a) Except as provided in subsection (b),** in addition to the information required from the applicant for a license or permit under sections 1 and 2 of this chapter, the bureau shall require an applicant to present to the bureau valid documentary evidence that the applicant:

- (1) is a citizen or national of the United States;
- (2) is an alien lawfully admitted for permanent residence in the United States;
- (3) has conditional permanent resident status in the United States;
- (4) has an approved application for asylum in the United States or has entered into the United States in refugee status;
- (5) is an alien lawfully admitted for temporary residence in the United States;
- (6) has a valid unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States;
- (7) has a pending application for asylum in the United States;
- (8) has a pending or approved application for temporary protected status in the United States;
- (9) has approved deferred action status; or
- (10) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States.

**(b) An applicant for a driving authority permit under IC 9-24-3.5 or a driving authority learner's permit under IC 9-24-7-1(c) who is unable to provide the documentation required under subsection (a) must provide the bureau with documentation of residence in Indiana as required by rules**



1 **adopted by the bureau under IC 4-22-2. The rules must provide**  
 2 **that the supporting documentation may be shown by official**  
 3 **documentation from a foreign consulate.**

4 SECTION 16. IC 9-24-10-2 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. The bureau may  
 6 adopt rules under IC 4-22-2 necessary for the conduct of examinations  
 7 for a learner's permit, **a driving authority learner's permit**, an  
 8 operator's license, **a driving authority permit**, a chauffeur's license,  
 9 and a public passenger chauffeur's license in accordance with this  
 10 chapter concerning the qualifications and ability of applicants to  
 11 operate motor vehicles in accordance with the rights and privileges of  
 12 those permits and licenses.

13 SECTION 17. IC 9-24-10-4, AS AMENDED BY P.L.85-2013,  
 14 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2014]: Sec. 4. (a) Except as provided in subsection (c), an  
 16 examination for a learner's permit, **driving authority learner's**  
 17 **permit, or driver's license, or driving authority permit** must include  
 18 the following:

19 (1) A test of the following of the applicant:

20 (A) Eyesight.

21 (B) Ability to read and understand highway signs regulating,  
 22 warning, and directing traffic.

23 (C) Knowledge of Indiana traffic laws, including  
 24 IC 9-26-1-1.5.

25 (2) An actual demonstration of the applicant's skill in exercising  
 26 ordinary and reasonable control in the operation of a motor  
 27 vehicle under the type of permit or license applied for.

28 (b) The examination may include further physical and mental  
 29 examination that the bureau finds necessary to determine the  
 30 applicant's fitness to operate a motor vehicle safely upon Indiana  
 31 highways. The applicant must provide the motor vehicle used in the  
 32 examination.

33 (c) The bureau:

34 (1) may waive the actual demonstration required under subsection

35 (a)(2) for a person who has passed a driver's education class and  
 36 a skills test given by a driver training school or driver education  
 37 program given by an entity licensed under IC 9-27; and

38 (2) may waive the testing, other than testing under subsection

39 (a)(1)(A), of an applicant who has passed:

40 (A) an examination concerning:

41 (i) subsection (a)(1)(B); and

42 (ii) subsection (a)(1)(C); and



1 (B) a skills test;  
 2 given by a driver training school or an entity licensed under  
 3 IC 9-27.

4 (d) The bureau shall adopt rules under IC 4-22-2 specifying  
 5 requirements for a skills test given under subsection (c) and the testing  
 6 required under subsection (a)(1)(B) and (a)(1)(C).

7 (e) An instructor having a license under IC 9-27-6-8 who did not  
 8 instruct the applicant for the license or permit in driver education is not  
 9 civilly or criminally liable for a report made in good faith to the:

10 (1) bureau;

11 (2) commission; or

12 (3) driver licensing medical advisory board;

13 concerning the fitness of the applicant to operate a motor vehicle in a  
 14 manner that does not jeopardize the safety of individuals or property.

15 SECTION 18. IC 9-24-11-3.3, AS AMENDED BY P.L.85-2013,  
 16 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2014]: Sec. 3.3. (a) This section applies to a probationary  
 18 operator's license **or a probationary driving authority permit** issued  
 19 after June 30, 2009.

20 (b) A license issued to or held by an individual less than eighteen  
 21 (18) years of age is a probationary license. **A driving authority permit**  
 22 **issued to or held by an individual less than eighteen (18) years of**  
 23 **age is a probationary driving authority permit.** An individual holds  
 24 a probationary license **or a probationary driving authority permit**  
 25 subject to the following conditions:

26 (1) Except as provided in subdivision (3), the individual may not  
 27 operate a motor vehicle from 10 p.m. until 5 a.m. of the following  
 28 morning during the first one hundred eighty (180) days after  
 29 issuance of the probationary license **or the probationary driving**  
 30 **authority permit.**

31 (2) Except as provided in subdivision (3), after one hundred  
 32 eighty (180) days after issuance of the probationary license **or the**  
 33 **probationary driving authority permit**, and until the individual  
 34 becomes eighteen (18) years of age, an individual may not operate  
 35 a motor vehicle:

36 (A) between 1 a.m. and 5 a.m. on a Saturday or Sunday;

37 (B) after 11 p.m. on Sunday, Monday, Tuesday, Wednesday,  
 38 or Thursday; or

39 (C) before 5 a.m. on Monday, Tuesday, Wednesday, Thursday,  
 40 or Friday.

41 (3) The individual may operate a motor vehicle during the periods  
 42 described in subdivisions (1) and (2) if the individual operates the



motor vehicle while:

(A) participating in, going to, or returning from:

- (i) lawful employment;
- (ii) a school sanctioned activity; or
- (iii) a religious event; or

(B) accompanied by a licensed driver with valid driving privileges who is:

- (i) at least twenty-five (25) years of age; or
- (ii) if the licensed driver is the individual's spouse, at least twenty-one (21) years of age.

(4) The individual may not operate a motor vehicle while using a telecommunications device until the individual becomes eighteen (18) years of age unless the telecommunications device is being used to make a 911 emergency call.

(5) Except as provided in subdivision (6), during the one hundred eighty (180) days after the issuance of the probationary license **or the probationary driving authority permit**, the individual may not operate a motor vehicle in which there are passengers until the individual becomes eighteen (18) years of age unless accompanied in the front seat of the motor vehicle by:

(A) a certified driver education instructor; or

(B) a licensed driver with valid driving privileges who is:

- (i) at least twenty-five (25) years of age; or
- (ii) if the licensed driver is the individual's spouse, at least twenty-one (21) years of age.

(6) The individual may operate a motor vehicle and transport:

- (A) a child or stepchild of the individual;
- (B) a sibling of the individual, including step or half siblings;
- (C) the spouse of the individual; or
- (D) any combination of individuals described in clauses (A) through (C);

without another accompanying individual present in the motor vehicle.

(7) The individual may operate a motor vehicle only if the individual and each occupant of the motor vehicle are:

- (A) properly restrained by a properly fastened safety belt; or
- (B) if the occupant is a child, restrained in a properly fastened child restraint system according to the manufacturer's instructions under IC 9-19-11;

properly fastened about the occupant's body at all times when the motor vehicle is in motion.

(c) An individual who holds a probationary license issued under this



section may be eligible to receive an operator's license, a chauffeur's license, a public passenger chauffeur's license, or a commercial driver's license when the individual is at least eighteen (18) years of age. **An individual who holds a probationary driving authority permit:**

**(1) may not receive an operator's license, a chauffeur's license, a public passenger chauffeur's license, or a commercial driver's license; but**

**(2) may receive a driving authority permit when the individual becomes eighteen (18) years of age.**

(d) Except as provided in IC 9-24-12-1(e), a probationary license or **probationary driving authority permit** issued under this section:

(1) expires at midnight of the date thirty (30) days after the twenty-first birthday of the holder; and

(2) may not be renewed.

SECTION 19. IC 9-24-12-0.5, AS ADDED BY P.L.101-2009, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 0.5. ~~This section applies beginning January 1, 2010.~~ A learner's permit or **driving authority learner's permit** issued under this article expires two (2) years after the date of issuance.

SECTION 20. IC 9-24-12-1, AS AMENDED BY P.L.103-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) Notwithstanding subsection (c) and except as provided in subsection (b) and sections 10, 11, and 12 of this chapter, the expiration date of an operator's license that is the renewal license for a license that contains a 2012 expiration date is as follows:

(1) If the license was previously issued or renewed after May 14, 2007, and before January 1, 2008, the renewal license expires at midnight on the birthday of the holder that occurs in 2017.

(2) If the license was previously issued or renewed after December 31, 2007, and before January 1, 2009, the renewal license expires at midnight on the birthday of the holder that occurs in 2018.

(3) If the license was previously issued or renewed after December 31, 2005, and before January 1, 2007, the renewal license expires at midnight on the birthday of the holder that occurs in 2016.

(b) Except as provided in sections 10, 11, and 12 of this chapter, an operator's license issued to an applicant who is at least seventy-five (75) years of age expires at midnight of the birthday of the holder that occurs three (3) years following the date of issuance.

(c) Except as provided in subsections (a), (b), (d), and (f) and sections 10, 11, and 12 of this chapter, an operator's license issued





under this article expires at midnight of the birthday of the holder that occurs six (6) years following the date of issuance.

(d) A probationary operator's license issued under IC 9-24-11-3 expires in accordance with IC 9-24-11-3(e).

(e) A probationary operator's license issued under IC 9-24-11-3.3 to an individual who complies with ~~IC 9-24-9-2.5(5)~~ **IC 9-24-9-2.5(a)(5)** through ~~IC 9-24-9-2.5(9)~~ **IC 9-24-9-2.5(a)(9)** expires:

(1) at midnight one (1) year after issuance if there is no expiration date on the authorization granted to the individual to remain in the United States; or

(2) if there is an expiration date on the authorization granted to the individual to remain in the United States, the earlier of the following:

(A) At midnight of the date the authorization to remain in the United States expires.

(B) At midnight of the date thirty (30) days after the twenty-first birthday of the holder.

(f) Except as provided in subsection (e), a probationary operator's license issued under IC 9-24-11-3.3 expires at midnight of the date thirty (30) days after the twenty-first birthday of the holder.

**(g) Except as provided in sections 10 and 11 of this chapter, a driving authority permit issued under this article expires at midnight of the birthday of the holder that occurs six (6) years after the date of issuance.**

SECTION 21. IC 9-24-12-4, AS AMENDED BY P.L.109-2011, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) Except as provided in subsections (b) and (c), the application for renewal of:

(1) an operator's license;

(2) a chauffeur's license;

(3) a public passenger chauffeur's license; ~~or~~

(4) an identification card; ~~or~~

**(5) a driving authority permit;**

under this article may be filed not more than twelve (12) months before the expiration date of the license or identification card held by the applicant.

(b) When the applicant complies with ~~IC 9-24-9-2.5(5)~~ **IC 9-24-9-2.5(a)(5)** through ~~IC 9-24-9-2.5(10)~~ **IC 9-24-9-2.5(a)(10)**, an application for renewal of a driver's license in subsection (a)(1), (a)(2), or (a)(3) may be filed not more than one (1) month before the expiration date of the license held by the applicant.

(c) When the applicant complies with IC 9-24-16-3.5(1)(E) through



IC 9-24-16-3.5(1)(J), an application for renewal of an identification card ~~in~~ **under** subsection ~~(a)(5)~~ **(a)(4)** may be filed not more than one (1) month before the expiration date of the identification card held by the applicant.

**(d) When the applicant complies with IC 9-24-9-2.5(b), an application for renewal of a driving authority permit under subsection (a)(5) may be filed not more than one (1) month before the expiration date of the permit held by the applicant.**

SECTION 22. IC 9-24-12-5, AS AMENDED BY P.L.85-2013, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. (a) Except as provided in subsection (b), an individual applying for renewal of an operator's, a chauffeur's, ~~or~~ a public passenger chauffeur's license, **or a driving authority permit** must apply in person at a license branch and do the following:

(1) Pass an eyesight examination.

(2) Pass a written examination if:

(A) the applicant has at least six (6) active points on the applicant's driving record maintained by the bureau;

(B) the applicant holds a valid operator's license, has not reached the applicant's twenty-first birthday, and has active points on the applicant's driving record maintained by the bureau; or

(C) the applicant is in possession of a driver's license that is expired beyond one hundred eighty (180) days.

(b) The bureau may adopt rules under IC 4-22-2 concerning the ability of a holder of an operator's, a chauffeur's, or a public passenger chauffeur's license to renew the license by mail or by electronic service. If rules are adopted under this subsection, the rules must provide that an individual's renewal of a license by mail or by electronic service is subject to the following conditions:

(1) A valid computerized image of the individual must exist within the records of the bureau.

(2) The previous renewal of the individual's operator's, chauffeur's, or public passenger chauffeur's license must not have been by mail or by electronic service.

(3) The application for or previous renewal of the individual's license must have included a test of the individual's eyesight approved by the bureau.

(4) If the individual were applying for the license renewal in person at a license branch, the individual would not be required under subsection (a)(2) to submit to a written examination.

(5) The individual must be a citizen of the United States, as



1 shown in the records of the bureau.

2 (6) There must not have been any change in the:

3 (A) address; or

4 (B) name;

5 of the individual since the issuance or previous renewal of the  
6 individual's operator's, chauffeur's, or public passenger chauffeur's  
7 license.

8 (7) The operator's, chauffeur's, or public passenger chauffeur's  
9 license of the individual must not be:

10 (A) suspended; or

11 (B) expired more than one hundred eighty (180) days;  
12 at the time of the application for renewal.

13 (8) The individual must be less than seventy-five (75) years of age  
14 at the time of the application for renewal.

15 (c) An individual applying for the renewal of an operator's, a  
16 chauffeur's, or a public passenger chauffeur's license must apply in  
17 person at a license branch under subsection (a) if the individual is not  
18 entitled to apply by mail or by electronic service under rules adopted  
19 under subsection (b).

20 SECTION 23. IC 9-24-12-10, AS AMENDED BY P.L.85-2013,  
21 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2014]: Sec. 10. (a) Except as provided in section 11 of this  
23 chapter: ~~after June 30, 2005:~~

24 (1) an operator's;

25 (2) a chauffeur's; or

26 (3) a public passenger chauffeur's;

27 license **or a driving authority permit** issued to or renewed by a driver  
28 who is at least eighty-five (85) years of age expires at midnight of the  
29 birthday of the holder that occurs two (2) years following the date of  
30 issuance.

31 **(b) Except as provided in section 11 of this chapter, a driving**  
32 **authority permit issued under this article to an applicant who is at**  
33 **least seventy-five (75) years of age but less than eighty-five (85)**  
34 **years of age expires at midnight of the birthday of the holder that**  
35 **occurs three (3) years following the date of issuance.**

36 SECTION 24. IC 9-24-12-11, AS AMENDED BY P.L.109-2011,  
37 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2014]: Sec. 11. (a) This section applies to a driver's license  
39 issued under:

40 (1) IC 9-24-3;

41 (2) IC 9-24-4; or

42 (3) IC 9-24-5;



1 **or a driving authority permit issued under IC 9-24-3.5.**

2 (b) If the birthday of a holder on which the holder's driver's license  
3 **or driving authority permit** issued under a chapter referred to in  
4 subsection (a) would otherwise expire falls on:

- 5 (1) Sunday;  
6 (2) a legal holiday (as set forth in IC 1-1-9-1); or  
7 (3) a weekday when all license branches, full service providers,  
8 and partial services providers in the county of residence of the  
9 holder are closed;

10 the driver's license **or driving authority permit** of the holder does not  
11 expire until midnight of the first day after the birthday on which a  
12 license branch, full service provider, or partial services provider is  
13 open for business in the county of residence of the holder.

14 SECTION 25. IC 9-24-12-12, AS AMENDED BY P.L.109-2011,  
15 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 2014]: Sec. 12. (a) This section applies to a driver's license  
17 issued under:

- 18 (1) IC 9-24-3;  
19 (2) IC 9-24-4; and  
20 (3) IC 9-24-5.

21 (b) A driver's license listed in subsection (a) that is issued after  
22 December 31, 2007, to an applicant who complies with  
23 ~~IC 9-24-9-2.5(5)~~ **IC 9-24-9-2.5(a)(5)** through ~~IC 9-24-9-2.5(10)~~  
24 **IC 9-24-9-2.5(a)(10)** expires:

- 25 (1) at midnight one (1) year after issuance if there is no expiration  
26 date on the authorization granted to the individual to remain in the  
27 United States; or  
28 (2) if there is an expiration date on the authorization granted to  
29 the individual to remain in the United States, the earlier of the  
30 following:  
31 (A) At midnight of the date the authorization of the holder to  
32 be a legal permanent resident or conditional resident alien of  
33 the United States expires.  
34 (B) At midnight of the birthday of the holder that occurs six  
35 (6) years after the date of issuance.

36 SECTION 26. IC 9-24-15-1, AS AMENDED BY P.L.85-2013,  
37 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2014]: Sec. 1. This chapter does not apply to the following:

- 39 (1) A suspension of driving privileges upon the failure of an  
40 individual to file security or proof of financial responsibility  
41 following an accident as required by or upon the failure of any  
42 individual to satisfy a judgment for damages arising out of the use



of a motor vehicle on a public highway as provided for in IC 9-25. However, if an individual is not otherwise ineligible, a court may grant a petition for restricted driving privileges from an individual who:

(A) received a request for evidence of financial responsibility after:

(i) an accident under IC 9-25-5-2; or

(ii) a conviction of a motor vehicle violation under IC 9-25-9-1; and

(B) failed to provide proof of financial responsibility under IC 9-25-6;

only if the individual shows by a preponderance of the evidence that the failure to maintain financial responsibility was inadvertent.

(2) When suspension of driving privileges is by reason of:

(A) physical, mental, or emotional instability;

(B) having caused serious bodily injury to or the death of another person when operating a motor vehicle after knowingly or intentionally failing to take prescribed medication, the taking of which was a condition of the issuance of the operator's restricted driver's license; or

(C) the applicant has been convicted of involuntary manslaughter or reckless homicide as a result of an automobile accident.

(3) A suspension of the driving privileges of an applicant whose license has been previously suspended more than one (1) time.

(4) A suspension of the driving privileges of an applicant who has failed to use timely appeal procedures provided by the bureau.

(5) After June 30, 2005, a suspension of the driving privileges of an applicant whose commercial driver's license has been disqualified under 49 CFR 383.51 or other applicable federal or state law, including an alcohol or a controlled substance conviction under IC 9-30-5-4 or 49 CFR 391.15.

(6) A person who is a habitual violator of traffic laws under IC 9-30-10.

**(7) A suspension of a driving authority permit for any reason.**

SECTION 27. IC 9-24-18-1, AS AMENDED BY P.L.85-2013, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) A person, except a person exempted under IC 9-24-1-7, who knowingly or intentionally operates a motor vehicle upon a highway and has never received a valid driving license **or permit** commits a Class C misdemeanor. However, the offense is a



1 Class A misdemeanor if the person has a prior unrelated conviction  
2 under this section.

3 (b) In addition to any other penalty imposed for a conviction under  
4 this section, the court shall recommend that the person be prohibited  
5 from receiving a valid driving license **or permit** for a fixed period of  
6 at least ninety (90) days and not more than two (2) years.

7 (c) The court shall specify:

8 (1) the length of the fixed period of the prohibition; and

9 (2) the date the fixed period of the prohibition begins;

10 whenever the court makes a recommendation under subsection (b).

11 (d) The bureau shall, upon receiving a record of conviction of a  
12 person upon a charge of operating a motor vehicle while never having  
13 received a valid driving license **or permit**, prohibit the person from  
14 receiving a driving license **or permit** by placing a suspension of  
15 driving privileges on the person's record for a fixed period of at least  
16 ninety (90) days and not more than two (2) years. The bureau shall fix  
17 this period in accordance with the recommendation of the court that  
18 entered the conviction, as provided in subsection (c). If the court fails  
19 to recommend a fixed term of suspension, or recommends a fixed term  
20 that is less than the minimum term required by statute, the bureau shall  
21 impose the minimum period of suspension required under this chapter.

22 (e) In a prosecution under this section, the burden is on the  
23 defendant to prove by a preponderance of the evidence that the  
24 defendant had been issued a driver's license or permit that was valid at  
25 the time of the alleged offense.

26 SECTION 28. IC 9-26-1-1.5, AS AMENDED BY P.L.125-2012,  
27 SECTION 293, IS AMENDED TO READ AS FOLLOWS  
28 [EFFECTIVE JULY 1, 2014]: Sec. 1.5. (a) If:

29 (1) the driver of a motor vehicle is physically incapable of  
30 determining the need for or rendering assistance to any injured or  
31 entrapped person as required under section 1(2)(C) of this  
32 chapter;

33 (2) there is another occupant in the motor vehicle at the time of  
34 the accident who is:

35 (A) at least:

36 (i) fifteen (15) years of age and holds a learner's permit  
37 issued under IC 9-24-7-1, **or a driving authority learner's**  
38 **permit under IC 9-24-7-1**, a driver's license issued under  
39 IC 9-24-11, **or a driving authority permit under**  
40 **IC 9-24-3.5**; or

41 (ii) eighteen (18) years of age; and

42 (B) capable of determining the need for and rendering



- 1 reasonable assistance to injured or entrapped persons as  
 2 provided in section 1(2)(C) of this chapter; and  
 3 (3) the other occupant in the motor vehicle knows that the driver  
 4 of the motor vehicle is physically incapable of determining the  
 5 need for or rendering assistance to any injured or entrapped  
 6 person;  
 7 the motor vehicle occupant referred to in subdivisions (2) and (3) shall  
 8 immediately determine the need for and render reasonable assistance  
 9 to each person injured or entrapped in the accident as provided in  
 10 section 1(2)(C) of this chapter.
- 11 (b) If:
- 12 (1) the driver of a motor vehicle is physically incapable of giving  
 13 immediate notice of an accident as required under section 1(3) of  
 14 this chapter;  
 15 (2) there is another occupant in the motor vehicle at the time of  
 16 the accident who is:
- 17 (A) at least:
- 18 (i) fifteen (15) years of age and holds a learner's permit  
 19 issued under IC 9-24-7-1, **or a driving authority learner's**  
 20 **permit under IC 9-24-7-1**, a driver's license issued under  
 21 IC 9-24-11, **or a driving authority permit under**  
 22 **IC 9-24-3.5; or**  
 23 (ii) eighteen (18) years of age; and  
 24 (B) capable of giving notice as provided in section 1(3) of this  
 25 chapter; and  
 26 (3) the other occupant in the motor vehicle knows that the driver  
 27 of the motor vehicle is physically incapable of giving immediate  
 28 notice of an accident;  
 29 the motor vehicle occupant referred to in subdivisions (2) and (3) shall  
 30 immediately give notice of the accident by the quickest means of  
 31 communication as provided in section 1(3) of this chapter.
- 32 (c) If there is more than one (1) motor vehicle occupant to whom  
 33 subsection (a) applies, it is a defense to a prosecution of one (1) motor  
 34 vehicle occupant under subsection (a) that the defendant reasonably  
 35 believed that another occupant of the motor vehicle determined the  
 36 need for and rendered reasonable assistance as required under  
 37 subsection (a).
- 38 (d) If there is more than one (1) motor vehicle occupant to whom  
 39 subsection (b) applies, it is a defense to a prosecution of one (1) motor  
 40 vehicle occupant under subsection (b) that the defendant reasonably  
 41 believed that another occupant of the motor vehicle gave the notice  
 42 required under subsection (b).



1 SECTION 29. IC 9-26-1-2, AS AMENDED BY P.L.125-2012,  
 2 SECTION 294, IS AMENDED TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2014]: Sec. 2. The driver of a motor vehicle  
 4 involved in an accident that does not result in injury or death of a  
 5 person or the entrapment of a person in a motor vehicle and that does  
 6 not involve the transportation of hazardous materials but that does  
 7 result in damage to a vehicle that is driven or attended by a person shall  
 8 do the following:

9 (1) Immediately stop the motor vehicle at the scene of the  
 10 accident or as close to the accident as possible in a manner that  
 11 does not obstruct traffic more than is necessary. If the accident  
 12 occurs on a federal interstate highway, or on a ramp providing  
 13 access to or from a federal interstate highway, the driver shall, as  
 14 soon as safely possible, move the motor vehicle off the highway  
 15 or ramp to a location as close to the accident as possible in a  
 16 manner that does not obstruct traffic more than is necessary.

17 (2) Immediately return to and remain at the scene of the accident  
 18 until the driver does the following upon request:

19 (A) Gives the driver's name and address and the registration  
 20 number of the motor vehicle the driver was driving.

21 (B) Gives the names and addresses of the owner and any  
 22 occupants of the motor vehicle the driver was driving, if the  
 23 names or addresses are different from the name and address  
 24 provided under clause (A).

25 (C) Provides proof of financial responsibility (as defined in  
 26 IC 9-25-2-3) for the motor vehicle.

27 (D) Exhibits the driver's license **or permit** of the driver to the  
 28 driver or occupant of or person attending each vehicle  
 29 involved in the accident.

30 SECTION 30. IC 9-26-1-4, AS AMENDED BY P.L.125-2012,  
 31 SECTION 297, IS AMENDED TO READ AS FOLLOWS  
 32 [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) The driver of a motor vehicle  
 33 that causes damage to the property of another person, other than  
 34 damage to a vehicle, shall do the following:

35 (1) Immediately stop the motor vehicle at the scene of the  
 36 accident or as close to the accident as possible in a manner that  
 37 does not obstruct traffic more than is necessary.

38 (2) Immediately return to and remain at the scene of the accident  
 39 until the driver does the following:

40 (A) Takes reasonable steps to locate and notify the owner or  
 41 person in charge of the property of the damage.

42 (B) Gives the person the driver's name and address and the





1 registration number of the motor vehicle.

2 (C) Upon request, exhibits the driver's license **or permit** of the  
3 driver.

4 (b) If after reasonable inquiry the driver of the motor vehicle cannot  
5 find the owner or person in charge of the damaged property, the driver  
6 of the motor vehicle shall do the following:

7 (1) Notify either the sheriff's department of the county in which  
8 the damaged property is located or a member of the state police  
9 department.

10 (2) Give the sheriff's department or state police department the  
11 information required by this section.

12 SECTION 31. IC 9-29-1-2, AS AMENDED BY P.L.259-2013,  
13 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2014]: Sec. 2. (a) Money from the increases in fees levied by  
15 the 1969 regular session of the general assembly in IC 9-18-2,  
16 IC 9-18-5, IC 9-18-6, IC 9-18-7, IC 9-18-9, IC 9-18-10, IC 9-18-16,  
17 IC 9-24-3, IC 9-24-4, IC 9-24-5, IC 9-24-7, IC 9-24-8, IC 9-24-10,  
18 IC 9-24-11, IC 9-24-12, IC 9-24-13, IC 9-24-14, and IC 9-29-9-15  
19 (IC 9-1-4 before its repeal on July 1, 1991) shall be deposited daily  
20 with the treasurer of state and credited to the highway, road, and street  
21 fund established under IC 8-14-2-2.1.

22 (b) For the purpose of providing adequate and sufficient funds for  
23 the crossroads 2000 fund established under IC 8-14-10-9, and subject  
24 to subsection (c), after June 30, 1997, with the approval of the bureau  
25 of motor vehicles commission the bureau of motor vehicles may adopt  
26 rules under IC 4-22-2 to increase, by an amount that is in addition to  
27 the fees specified by statute, the fees under the following:

28 IC 9-29-4-3

29 IC 9-29-5 (excluding fees under IC 9-29-5-44)

30 IC 9-29-9-1

31 IC 9-29-9-2

32 **IC 9-29-9-2.3**

33 IC 9-29-9-3

34 IC 9-29-9-4

35 IC 9-29-9-5

36 IC 9-29-9-7

37 IC 9-29-9-8

38 IC 9-29-9-9

39 IC 9-29-9-11

40 IC 9-29-9-13

41 IC 9-29-9-14

42 IC 9-29-15-1



- 1 IC 9-29-15-2  
 2 IC 9-29-15-3  
 3 IC 9-29-15-4  
 4 IC 9-29-17-1  
 5 IC 9-29-17-2  
 6 IC 9-29-17-3  
 7 IC 9-29-17-4.  
 8 The amount of fees increased under this section shall first be deposited  
 9 into the crossroads 2000 fund established under IC 8-14-10-9.  
 10 (c) The bureau's authority to adopt rules under subsection (b) is  
 11 subject to the condition that a fee increase must be uniform throughout  
 12 all license branches and at all partial service locations in Indiana.  
 13 (d) If a fee imposed by a statute listed in subsection (b) is  
 14 eliminated, the amount of the fee increase set forth in a rule adopted  
 15 under this section before July 1, 2007, with respect to the fee must be:  
 16 (1) collected by the bureau notwithstanding the elimination of the  
 17 underlying fee;  
 18 (2) collected in addition to all other fees collected at the time of  
 19 the underlying transaction; and  
 20 (3) deposited in the crossroads 2000 fund established under  
 21 IC 8-14-10-9.  
 22 However, this subsection does not apply to a fee imposed under  
 23 IC 9-29-5-14, IC 9-29-5-14.5, IC 9-29-5-15, or IC 9-29-5-39, which  
 24 were repealed by legislation enacted in 2013.  
 25 SECTION 32. IC 9-29-3-8, AS AMENDED BY P.L.156-2006,  
 26 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2014]: Sec. 8. (a) Fifty cents (\$0.50) of each service charge  
 28 collected under this section shall be deposited in the state motor  
 29 vehicle technology fund established by IC 9-29-16-1.  
 30 (b) The service charge for an operator's license **or driving**  
 31 **authority permit** is three dollars (\$3).  
 32 SECTION 33. IC 9-29-3-9, AS AMENDED BY P.L.1-2007,  
 33 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2014]: Sec. 9. (a) Fifty cents (\$0.50) of each service charge  
 35 collected under this section shall be deposited in the state motor  
 36 vehicle technology fund established by IC 9-29-16-1.  
 37 (b) The service charge for a learner's permit, **driving authority**  
 38 **learner's permit**, public passenger chauffeur's license, or chauffeur's  
 39 license issued to or renewed for an individual who is at least  
 40 seventy-five (75) years of age is two dollars (\$2). After December 31,  
 41 2005, the service charge for a chauffeur's license issued to or renewed  
 42 for an individual less than seventy-five (75) years of age is three dollars



1 (\$3).

2 SECTION 34. IC 9-29-9-1 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. The fee for a  
4 learner's permit **or a driving authority learner's permit** issued under  
5 IC 9-24-7 is two dollars (\$2).

6 SECTION 35. IC 9-29-9-2.3 IS ADDED TO THE INDIANA CODE  
7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
8 1, 2014]: **Sec. 2.3. (a) Except as provided in subsection (b), the fee**  
9 **for a driving authority permit issued under IC 9-24-3.5-2 or**  
10 **renewed under IC 9-24-12 to:**

11 (1) **an individual who is less than seventy-five (75) years of age**  
12 **is nine dollars (\$9); and**

13 (2) **an individual who is at least seventy-five (75) years of age**  
14 **is six dollars (\$6).**

15 (b) **The fee for a probationary driving authority permit issued**  
16 **under IC 9-24-11-3.3 is six dollars (\$6).**

17 SECTION 36. IC 9-30-3-12, AS AMENDED BY P.L.85-2013,  
18 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2014]: Sec. 12. (a) If during any twelve (12) month period a  
20 person has committed moving traffic violations for which the person  
21 has:

22 (1) been convicted of at least two (2) traffic misdemeanors;

23 (2) had at least two (2) traffic judgments entered against the  
24 person; or

25 (3) been convicted of at least one (1) traffic misdemeanor and has  
26 had at least one (1) traffic judgment entered against the person;

27 the bureau may require the person to attend and satisfactorily complete  
28 a driver safety program approved by the bureau. The person shall pay  
29 all applicable fees required by the bureau.

30 (b) This subsection applies to an individual who holds a  
31 probationary license **or a probationary driving authority permit**  
32 **under IC 9-24-11-3.3** or is less than eighteen (18) years of age. An  
33 individual is required to attend and satisfactorily complete a driver  
34 safety program approved by the bureau if either of the following occurs  
35 at least twice or if both of the following have occurred when the  
36 individual was less than eighteen (18) years of age:

37 (1) The individual has been convicted of a moving traffic offense,  
38 other than an offense that solely involves motor vehicle  
39 equipment.

40 (2) The individual has been the operator of a motor vehicle  
41 involved in an accident for which a report is required to be filed  
42 under IC 9-26-2.



1 The individual shall pay all applicable fees required by the bureau.

2 (c) The bureau may suspend the driving privileges of any person  
3 who:

4 (1) fails to attend a driver safety program; or

5 (2) fails to satisfactorily complete a driver safety program;  
6 as required by this section.

7 (d) Notwithstanding IC 33-37-4-2, any court may suspend one-half  
8 (1/2) of each applicable court cost (including fees) for which a person  
9 is liable due to a traffic violation if the person enrolls in and completes  
10 a driver safety program or a similar school conducted by an agency of  
11 the state or local government.

12 SECTION 37. IC 20-33-2-11, AS AMENDED BY P.L.242-2005,  
13 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2014]: Sec. 11. (a) Notwithstanding IC 9-24 concerning the  
15 minimum requirements for qualifying for the issuance of an operator's  
16 license, **a driving authority permit, a driving authority learner's**  
17 **permit**, or a learner's permit, and subject to subsections (c) through (e),  
18 an individual who is:

19 (1) at least thirteen (13) years of age but less than fifteen (15)  
20 years of age;

21 (2) a habitual truant under the definition of habitual truant  
22 established under subsection (b); and

23 (3) identified in the information submitted to the bureau of motor  
24 vehicles under subsection (f);

25 may not be issued an operator's license, **a driving authority permit,**  
26 **a driving authority learner's permit**, or a learner's permit to drive a  
27 motor vehicle under IC 9-24 until the individual is at least eighteen  
28 (18) years of age.

29 (b) Each governing body shall establish and include as part of the  
30 written copy of its discipline rules described in IC 20-33-8-12:

31 (1) a definition of a child who is designated as a habitual truant,  
32 which must, at a minimum, define the term as a student who is  
33 chronically absent, by having unexcused absences from school for  
34 more than ten (10) days of school in one (1) school year;

35 (2) the procedures under which subsection (a) will be  
36 administered; and

37 (3) all other pertinent matters related to this action.

38 (c) An individual described in subsection (a) is entitled to the  
39 procedure described in IC 20-33-8-19.

40 (d) An individual described in subsection (a) who is at least thirteen  
41 (13) years of age and less than eighteen (18) years of age is entitled to  
42 a periodic review of the individual's attendance record in school to



determine whether the prohibition described in subsection (a) shall continue. The periodic reviews may not be conducted less than one (1) time each school year.

(e) Upon review, the governing body may determine that the individual's attendance record has improved to the degree that the individual may become eligible to be issued an operator's license, **a driving authority permit, a driving authority learner's permit**, or a learner's permit.

(f) Before:

(1) February 1; and

(2) October 1;

of each year the governing body of the school corporation shall submit to the bureau of motor vehicles the pertinent information concerning an individual's ineligibility under subsection (a) to be issued an operator's license, **a driving authority permit, a driving authority learner's permit**, or a learner's permit.

(g) The department shall develop guidelines concerning criteria used in defining a habitual truant that may be considered by a governing body in complying with subsection (b).

SECTION 38. IC 20-33-2-28.5, AS AMENDED BY P.L.185-2006, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 28.5. (a) This section applies to an individual:

(1) who:

(A) attends or last attended a public school;

(B) is at least sixteen (16) years of age but less than eighteen (18) years of age; and

(C) has not completed the requirements for graduation;

(2) who:

(A) wishes to withdraw from school before graduation;

(B) fails to return at the beginning of a semester; or

(C) stops attending school during a semester; and

(3) who has no record of transfer to another school.

(b) An individual to whom this section applies may withdraw from school only if all of the following conditions are met:

(1) An exit interview is conducted.

(2) The individual's parent consents to the withdrawal.

(3) The school principal approves of the withdrawal.

(4) The withdrawal is due to:

(A) financial hardship and the individual must be employed to support the individual's family or a dependent;

(B) illness; or

(C) an order by a court that has jurisdiction over the child.



During the exit interview, the school principal shall provide to the student and the student's parent a copy of statistics compiled by the department concerning the likely consequences of life without a high school diploma. The school principal shall advise the student and the student's parent that the student's withdrawal from school may prevent the student from receiving or result in the revocation of the student's employment certificate and driver's license, **driving authority permit, driving authority learner's permit**, or learner's permit.

(c) For purposes of this section, the following must be in written form:

- (1) An individual's request to withdraw from school.
- (2) A parent's consent to a withdrawal.
- (3) A principal's consent to a withdrawal.

(d) If the individual's principal does not consent to the individual's withdrawal under this section, the individual's parent may appeal the denial of consent to the governing body of the public school that the individual last attended.

(e) Each public school, including each school corporation and each charter school (as defined in IC 20-24-1-4), shall provide an annual report to the department setting forth the following information:

- (1) The total number of individuals:
  - (A) who withdrew from school under this section; and
  - (B) who either:
    - (i) failed to return to school at the beginning of a semester; or
    - (ii) stopped attending school during a semester; and for whom there is no record of transfer to another school.
- (2) The number of individuals who withdrew from school following an exit interview.

(f) If an individual to which this section applies:

- (1) has not received consent to withdraw from school under this section; and
- (2) fails to return to school at the beginning of a semester or during the semester;

the principal of the school that the individual last attended shall deliver by certified mail or personal delivery to the bureau of child labor a record of the individual's failure to return to school so that the bureau of child labor revokes any employment certificates issued to the individual and does not issue any additional employment certificates to the individual. For purposes of IC 20-33-3-13, the individual shall be considered a dropout.

(g) At the same time that a school principal delivers the record



under subsection (f), the principal shall deliver by certified mail or personal delivery to the bureau of motor vehicles a record of the individual's failure to return to school so that the bureau of motor vehicles revokes any driver's license, **driving authority permit, driving authority learner's permit**, or learner's permit issued to the individual and does not issue any additional driver's licenses, **driving authority permits, driving authority learner's permits**, or learner's permits to the individual before the individual is at least eighteen (18) years of age. For purposes of IC 9-24-2-1, the individual shall be considered a dropout.

(h) If:

(1) a principal has delivered the record required under subsection (f) or (g), or both; and

(2) the school subsequently gives consent to the individual to withdraw from school under this section;

the principal of the school shall send a notice of withdrawal to the bureau of child labor and the bureau of motor vehicles by certified mail or personal delivery and, for purposes of IC 20-33-3-13 and IC 9-24-2-1, the individual shall no longer be considered a dropout.

SECTION 39. IC 20-33-8-33, AS AMENDED BY P.L.125-2012, SECTION 402, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 33. Before February 1 and before October 1 of each year, except when a hearing has been requested to determine financial hardship under IC 9-24-2-1(a)(4), a principal shall submit to the bureau of motor vehicles the pertinent information concerning an individual's ineligibility under IC 9-24-2-1 to be issued a driver's license, **driving authority permit, driving authority learner's permit**, or learner's permit, or concerning the suspension of driving privileges under IC 9-24-2-4.

SECTION 40. IC 31-37-19-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 13. (a) This section applies if a child is a delinquent child under IC 31-37-1 due to the commission of a delinquent act that, if committed by an adult, would be:

(1) dealing in:

(A) a controlled substance (as defined in IC 35-48-1-9); or

(B) a counterfeit substance (as defined in IC 35-48-1-10);

(2) possessing:

(A) a controlled substance (as defined in IC 35-48-1-9); or

(B) a prescription drug (as defined in IC 35-48-1-25);

for which the child does not have a prescription; or

(3) conspiring to commit an act described in subdivision (1) or



(2).

(b) The juvenile court shall, in addition to any other order or decree the court makes under this chapter, order the bureau of motor vehicles to invalidate the child's operator's license, **driving authority permit**, or permit for a period specified by the court of at least six (6) months but not more than one (1) year from the time the child would otherwise be eligible for a learner's permit **or driving authority learner's permit**.

SECTION 41. IC 31-37-19-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 14. (a) This section applies if:

(1) a child has been previously determined to be a delinquent child under IC 31-37-1 (or IC 31-6-4-1(b)(1) before its repeal) due to the commission of a delinquent act described in section 13(a)(1), 13(a)(2), or 13(a)(3) of this chapter (or IC 31-6-4-15.9(d)(1), IC 31-6-4-15.9(d)(2), or IC 31-6-4-15.9(d)(3) before its repeal); or

(2) the delinquent act described in section 13(a)(1), 13(a)(2), or 13(a)(3) of this chapter (or IC 31-6-4-15.9(d)(1), IC 31-6-4-15.9(d)(2), or IC 31-6-4-15.9(d)(3) before its repeal) was committed:

(A) on school property;

(B) within one thousand (1,000) feet of school property; or

(C) on a school bus.

(b) The juvenile court shall, in addition to any other order or decree the court makes under this chapter, order the bureau of motor vehicles to invalidate the child's operator's license **or driving authority permit** for a period specified by the court of at least six (6) months but not more than two (2) years from the time the child would otherwise be eligible for a learner's permit **or driving authority learner's permit**.

SECTION 42. IC 31-37-19-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 15. (a) This section applies if a child is a delinquent child under IC 31-37-1 due to the commission of a delinquent act that, if committed by an adult, would be:

(1) dealing in:

(A) a controlled substance (as defined in IC 35-48-1-9); or

(B) a counterfeit substance (as defined in IC 35-48-1-10);

(2) possessing:

(A) a controlled substance (as defined in IC 35-48-1-9); or

(B) a prescription drug (as defined in IC 35-48-1-25);

for which the child does not have a prescription; or





(3) conspiring to commit an act described in subdivision (1) or (2).

(b) The juvenile court shall, in addition to any other order or decree the court makes under this chapter, order the bureau of motor vehicles not to issue the child a learner's permit **or driving authority learner's permit** for a period specified by the court of at least six (6) months but not more than one (1) year from the time the child would otherwise be eligible for a learner's permit **or driving authority learner's permit**.

SECTION 43. IC 31-37-19-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) This section applies if:

(1) a child has been previously determined to be a delinquent child under IC 31-37-1 (or IC 31-6-4-1(b)(1) before its repeal) due to the commission of a delinquent act described in section 15(a)(1), 15(a)(2), or 15(a)(3) of this chapter (or IC 31-6-4-15.9(e)(1), IC 31-6-4-15.9(e)(2), or IC 31-6-4-15.9(e)(3) before its repeal); or

(2) the delinquent act described in section 15(a)(1), 15(a)(2), or 15(a)(3) of this chapter (or IC 31-6-4-15.9(e)(1), IC 31-6-4-15.9(e)(2), or IC 31-6-4-15.9(e)(3) before its repeal) was committed:

(A) on school property;

(B) within one thousand (1,000) feet of school property; or

(C) on a school bus.

(b) The juvenile court shall, in addition to any other order or decree the court makes under this chapter, order the bureau of motor vehicles not to issue the child a learner's permit **or driving authority learner's permit** for a period specified by the court of at least six (6) months but not more than two (2) years from the time the child would otherwise be eligible for a learner's permit **or driving authority learner's permit**.

SECTION 44. IC 31-37-19-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 17. (a) This section applies if a child is a delinquent child under IC 31-37-1 due to the commission of a delinquent act that, if committed by an adult, would be criminal mischief or institutional criminal mischief under IC 35-43-1-2 that involves the use of graffiti.

(b) The juvenile court may, in addition to any other order or decree the court makes under this chapter, order the bureau of motor vehicles to:

(1) suspend the child's operator's license **or driving authority permit**; or

(2) invalidate the child's learner's permit **or driving authority**



**learner's permit;**

for one (1) year beginning the date of the order.

SECTION 45. IC 31-37-19-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 20. (a) This section applies if the juvenile court has entered an order for suspension or invalidation of an operator's license, **driving authority permit, or a learner's permit, or driving authority learner's permit** under section 17 of this chapter (or IC 31-6-4-15.9(f) before its repeal).

(b) Following a determination by the juvenile court that the child has removed or painted over the graffiti or has made other suitable restitution, the court may:

- (1) rescind the order for suspension or invalidation; and
- (2) allow the child to receive a license or permit before the period of suspension or invalidation ends.

SECTION 46. IC 33-39-1-8, AS AMENDED BY P.L.158-2013, SECTION 342, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. (a) After June 30, 2005, this section does not apply to a person who:

- (1) holds a commercial driver's license; and
- (2) has been charged with an offense involving the operation of a motor vehicle in accordance with the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Public Law 106-159.113 Stat. 1748).

(b) This section does not apply to a person arrested for or charged with:

- (1) an offense under IC 9-30-5-1 through IC 9-30-5-5; or
- (2) if a person was arrested or charged with an offense under IC 9-30-5-1 through IC 9-30-5-5, an offense involving:
  - (A) intoxication; or
  - (B) the operation of a vehicle;

if the offense involving intoxication or the operation of a vehicle was part of the same episode of criminal conduct as the offense under IC 9-30-5-1 through IC 9-30-5-5.

(c) This section does not apply to a person:

- (1) who is arrested for or charged with an offense under:
  - (A) IC 7.1-5-7-7(a), if the alleged offense occurred while the person was operating a motor vehicle;
  - (B) IC 9-30-4-8(a), if the alleged offense occurred while the person was operating a motor vehicle;
  - (C) IC 35-42-2-2(c)(1);
  - (D) IC 35-44.1-2-13(b)(1); or
  - (E) IC 35-43-1-2(a), if the alleged offense occurred while the



- 1 person was operating a motor vehicle; and
- 2 (2) who held a probationary license **or a probationary driving**
- 3 **authority permit** (as defined in IC 9-24-11-3.3(b)) and was less
- 4 than eighteen (18) years of age at the time of the alleged offense.
- 5 (d) A prosecuting attorney may withhold prosecution against an
- 6 accused person if:
- 7 (1) the person is charged with a misdemeanor;
- 8 (2) the person agrees to conditions of a pretrial diversion program
- 9 offered by the prosecuting attorney;
- 10 (3) the terms of the agreement are recorded in an instrument
- 11 signed by the person and the prosecuting attorney and filed in the
- 12 court in which the charge is pending; and
- 13 (4) the prosecuting attorney electronically transmits information
- 14 required by the prosecuting attorneys council concerning the
- 15 withheld prosecution to the prosecuting attorneys council, in a
- 16 manner and format designated by the prosecuting attorneys
- 17 council.
- 18 (e) An agreement under subsection (d) may include conditions that
- 19 the person:
- 20 (1) pay to the clerk of the court an initial user's fee and monthly
- 21 user's fees in the amounts specified in IC 33-37-4-1;
- 22 (2) work faithfully at a suitable employment or faithfully pursue
- 23 a course of study or career and technical education that will equip
- 24 the person for suitable employment;
- 25 (3) undergo available medical treatment or counseling and remain
- 26 in a specified facility required for that purpose;
- 27 (4) support the person's dependents and meet other family
- 28 responsibilities;
- 29 (5) make restitution or reparation to the victim of the crime for the
- 30 damage or injury that was sustained;
- 31 (6) refrain from harassing, intimidating, threatening, or having
- 32 any direct or indirect contact with the victim or a witness;
- 33 (7) report to the prosecuting attorney at reasonable times;
- 34 (8) answer all reasonable inquiries by the prosecuting attorney
- 35 and promptly notify the prosecuting attorney of any change in
- 36 address or employment; and
- 37 (9) participate in dispute resolution either under IC 34-57-3 or a
- 38 program established by the prosecuting attorney.
- 39 (f) An agreement under subsection (d)(2) may include other
- 40 provisions reasonably related to the defendant's rehabilitation, if
- 41 approved by the court.
- 42 (g) The prosecuting attorney shall notify the victim when



1 prosecution is withheld under this section.

2 (h) All money collected by the clerk as user's fees under this section  
3 shall be deposited in the appropriate user fee fund under IC 33-37-8.

4 (i) If a court withholds prosecution under this section and the terms  
5 of the agreement contain conditions described in subsection (e)(6):

6 (1) the clerk of the court shall comply with IC 5-2-9; and

7 (2) the prosecuting attorney shall file a confidential form  
8 prescribed or approved by the division of state court  
9 administration with the clerk.

10 SECTION 47. IC 34-28-5-1, AS AMENDED BY P.L.125-2012,  
11 SECTION 412, IS AMENDED TO READ AS FOLLOWS  
12 [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) As used in this section,  
13 "probationary license" refers to a license **or probationary driving**  
14 **authority permit** described in IC 9-24-11-3.3(b).

15 (b) An action to enforce a statute defining an infraction shall be  
16 brought in the name of the state of Indiana by the prosecuting attorney  
17 for the judicial circuit in which the infraction allegedly took place.  
18 However, if the infraction allegedly took place on a public highway (as  
19 defined in IC 9-25-2-4) that runs on and along a common boundary  
20 shared by two (2) or more judicial circuits, a prosecuting attorney for  
21 any judicial circuit sharing the common boundary may bring the action.

22 (c) An action to enforce an ordinance shall be brought in the name  
23 of the municipal corporation. The municipal corporation need not  
24 prove that it or the ordinance is valid unless validity is controverted by  
25 affidavit.

26 (d) Actions under this chapter (or IC 34-4-32 before its repeal):

27 (1) shall be conducted in accordance with the Indiana Rules of  
28 Trial Procedure; and

29 (2) must be brought within two (2) years after the alleged conduct  
30 or violation occurred.

31 (e) The plaintiff in an action under this chapter must prove the  
32 commission of an infraction or ordinance violation by a preponderance  
33 of the evidence.

34 (f) The complaint and summons described in IC 9-30-3-6 may be  
35 used for any infraction or ordinance violation.

36 (g) Subsection (h) does not apply to an individual holding a  
37 probationary license who is alleged to have committed an infraction  
38 under any of the following when the individual was less than eighteen  
39 (18) years of age at the time of the alleged offense:

40 IC 9-19

41 IC 9-21

42 IC 9-24



1 IC 9-25  
 2 IC 9-26  
 3 IC 9-30-5  
 4 IC 9-30-10  
 5 IC 9-30-15.

6 (h) This subsection does not apply to an offense or violation under  
 7 IC 9-24-6 involving the operation of a commercial motor vehicle. The  
 8 prosecuting attorney or the attorney for a municipal corporation may  
 9 establish a deferral program for deferring actions brought under this  
 10 section. Actions may be deferred under this section if:

- 11 (1) the defendant in the action agrees to conditions of a deferral  
 12 program offered by the prosecuting attorney or the attorney for a  
 13 municipal corporation;
- 14 (2) the defendant in the action agrees to pay to the clerk of the  
 15 court an initial user's fee and monthly user's fee set by the  
 16 prosecuting attorney or the attorney for the municipal corporation  
 17 in accordance with IC 33-37-4-2(e);
- 18 (3) the terms of the agreement are recorded in an instrument  
 19 signed by the defendant and the prosecuting attorney or the  
 20 attorney for the municipal corporation;
- 21 (4) the defendant in the action agrees to pay a fee of seventy  
 22 dollars (\$70) to the clerk of court if the action involves a moving  
 23 traffic offense (as defined in IC 9-13-2-110);
- 24 (5) the agreement is filed in the court in which the action is  
 25 brought; and
- 26 (6) if the deferral program is offered by the prosecuting attorney,  
 27 the prosecuting attorney electronically transmits information  
 28 required by the prosecuting attorneys council concerning the  
 29 withheld prosecution to the prosecuting attorneys council, in a  
 30 manner and format designated by the prosecuting attorneys  
 31 council.

32 When a defendant complies with the terms of an agreement filed under  
 33 this subsection (or IC 34-4-32-1(f) before its repeal), the prosecuting  
 34 attorney or the attorney for the municipal corporation shall request the  
 35 court to dismiss the action. Upon receipt of a request to dismiss an  
 36 action under this subsection, the court shall dismiss the action. An  
 37 action dismissed under this subsection (or IC 34-4-32-1(f) before its  
 38 repeal) may not be refiled.

39 (i) If a judgment is entered against a defendant in an action to  
 40 enforce an ordinance, the defendant may perform community  
 41 restitution or service (as defined in IC 35-31.5-2-50) instead of paying  
 42 a monetary judgment for the ordinance violation as described in section



4(e) of this chapter if:

(1) the:

(A) defendant; and

(B) attorney for the municipal corporation;

agree to the defendant's performance of community restitution or service instead of the payment of a monetary judgment;

(2) the terms of the agreement described in subdivision (1):

(A) include the amount of the judgment the municipal corporation requests that the defendant pay under section 4(e) of this chapter for the ordinance violation if the defendant fails to perform the community restitution or service provided for in the agreement as approved by the court; and

(B) are recorded in a written instrument signed by the defendant and the attorney for the municipal corporation;

(3) the agreement is filed in the court where the judgment was entered; and

(4) the court approves the agreement.

If a defendant fails to comply with an agreement approved by a court under this subsection, the court shall require the defendant to pay up to the amount of the judgment requested in the action under section 4(e) of this chapter as if the defendant had not entered into an agreement under this subsection.

SECTION 48. IC 35-48-4-15, AS AMENDED BY P.L.125-2012, SECTION 415, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 15. (a) If a person is convicted of an offense under section 1, 2, 3, 4, 5, 6, 7, 10, or 11 of this chapter, or conspiracy to commit an offense under section 1, 2, 3, 4, 5, 6, 7, 10, or 11 of this chapter, and the court finds that a motor vehicle was used in the commission of the offense, the court shall, in addition to any other order the court enters, order that the person's:

(1) driver's license **or driving authority permit** be suspended;

(2) existing motor vehicle registrations be suspended; and

(3) ability to register motor vehicles be suspended;

by the bureau of motor vehicles for a period specified by the court of at least six (6) months but not more than two (2) years.

(b) If a person is convicted of an offense described in subsection (a) and the person does not hold a driver's license, **or a driving authority permit**, learner's permit, **or driving authority learner's permit**, the court shall order that the person may not receive a driver's license, **or a driving authority permit**, learner's permit, **or driving authority learner's permit** from the bureau of motor vehicles for a period of not less than six (6) months.

